

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Dentistry

124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102

**VIA CERTIFIED (RRR) AND REGULAR MAIL**



JOHN J. HOFFMAN  
Acting Attorney General

STEVE C. LEE  
Acting Director

June 29, 2015

Perry L. Grace, D.M.D.  
C/o Mary E. Gazi, Esq.  
Dughi Hewitt & Domalewski, P.C.  
340 North Avenue  
Cranford, NJ 07016

RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 7-20-15 DA

**Mailing Address:**  
P.O. Box 45005  
Newark, NJ 07101  
(973) 504-6405

Re: Settlement Letter in Lieu of Formal Disciplinary  
Proceedings in Complaints: 98277  
Patient K.U.

Dear Dr. Grace:

This letter is to advise you that the New Jersey State Board of Dentistry completed its review of information concerning the above captioned complainants. Specifically, the information reviewed included:

1. The patient's complaint;
2. A copy of your response, including patient treatment and financial records, and other office records;
3. A transcript of your appearance before the Board on February 18, 2015;
4. Additional information about the patient's dental condition.

Based upon the review of these matters, the Board has determined that you have engaged in the following actions which constitute violations of the Board's statutes and regulations:

1. **Diagnostics and Treatment Planning** - You failed to obtain requisite diagnostic materials, including a full mouth radiographic series and periodontal charting. These are necessary to develop a comprehensive treatment plan before initiating and cementing a permanent six-unit fixed anterior bridge. Such a plan with sequential treatment procedures is mandatory, considering the patient's lack of posterior bite support.
2. **Execution of Treatment Plan** - You acceded to patient demands, and failed to follow the accepted standard of care, by inserting the six-unit anterior fixed bridge, which, under the conditions noted above, lasted only one year and was of minimal use to the patient.
3. **Continuing Education** - you provided proof of completing fourteen (14) credits of continuing education between November 1, 2009 and October 31, 2011, and twelve (12) credits of continuing education between November 1, 2011 and October 31, 2013.

22DI01659400

These acts constitute acts sufficient to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, and avoid the initiation of formal disciplinary proceedings, should you agree to the following:

1. Pay a penalty of \$500 for failing to complete the continuing education coursework required for the renewal of your license during the 2011-2013 and 2013-2015 licensing periods.
2. Successfully complete a total of twenty eight (28) hours of continuing education in the following subjects: fourteen (14) hours in diagnosis and treatment planning, seven (7) hours in treatment planning of complex restorative cases, and seven (7) hours in record keeping. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period.
3. Provide the patient with restitution in the total amount of \$3,900, which represents one-half of the amount paid for the bridge that failed. Restitution should be made by check or money order payable to the patient, and submitted to the Board office with the signed certification attached to this letter.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The penalty may be paid by a check or money order made payable to the "State of New Jersey - Board of Dentistry" and should be submitted to the Board office. The restitution should be paid by a check or money order made payable to the patient and submitted to the Board office. Continuing education course work is to be completed in addition to the credits you must complete for the renewal of your dental license. You should be advised that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Swang Oo, who may be reached at (973) 648-2500.

JUL 20 2015

Settlement Letter

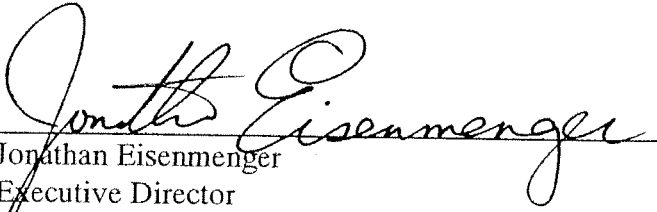
June 29, 2015

Page 3 of 4

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Sincerely,

NEW JERSEY STATE BOARD OF DENTISTRY



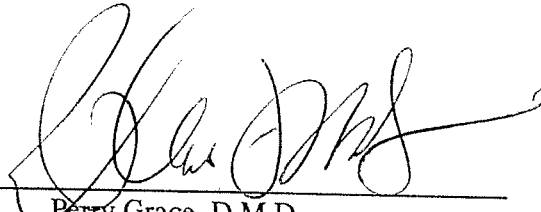
Jonathan Eisenmenger  
Executive Director

cc: Swang Oo, Deputy Attorney General

**ACKNOWLEDGMENT:** I, Perry Grace, D.M.D., have read and reviewed the settlement proposal set forth in this settlement letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to comply with the directives noted. I will:

1. Pay a penalty of \$500 for failing to complete the continuing education coursework required for the renewal of your license during the 2011-2013 and 2013-2015 licensing periods.
2. Successfully complete a total of twenty eight (28) hours of continuing education in the following subjects: fourteen (14) hours in diagnosis and treatment planning, seven (7) hours in treatment planning of complex restorative cases, and seven (7) hours in record keeping. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period.
3. Provide the patient with restitution in the total amount of \$3,900, which represents one-half of the amount paid for the bridge that failed. Restitution should be made by check or money order payable to the patient, and submitted to the Board office with the signed certification attached to this letter.

7-6-2015  
Date

  
Perry Grace, D.M.D.